

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Alan Niedzwiecki, et al.	Examiner:	Karie Amber Oneill
Serial No.	10/644,614	Group Art Unit:	1745
Filed:	August 19, 2003	Docket No.	70278.020100
Title:	TRANSPORTABLE SOLID OXIDE FUEL CELL GENERATOR		
Customer No.:	33717		

---

**DECLARATION OF MARK KRIETZMAN OF**  
**PRIOR INVENTION IN THE UNITED STATES**  
**UNDER 37 C.F.R. § 1.131**

MAIL STOP: AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I, Mark Krietzman, do hereby declare as follows:

1. I am the attorney who drafted and filed the above patent application.
2. This declaration establishes conception and diligence toward the reduction to practice of the invention(s) claimed in this application in the United States, prior to January 10, 2003.
3. Prior to January 10, 2003, Alan Niedzwiecki, Andris R. Abele and Neel Sirosh developed a transportable electrical generator powered by a solid oxide fuel cell system as evidenced by their Declaration accompanying this Declaration. The name that was used to refer to the system was "HyHauler."
4. I received a disclosure for the transportable solid oxide electrical generator from the inventors in early March, 2003. This disclosure disclosed the features and characteristics of a transportable solid oxide fuel cell generator as claimed. From the time I received the disclosure

up until the filing date of August 19, 2003, I was working on drafting and preparing a patent application on this invention.

I declare under penalty of perjury under the laws of the State of California that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Executed this 6<sup>th</sup> day of Nov, 2006, at Santa Monica, California.

  
\_\_\_\_\_  
Mark Krietzman

LA 126656885